

**RESOLUTION NO. 2021-190**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF ELK GROVE DECLARING ITS INTENT TO ADOPT  
AN AMENDMENT TO THE GENERAL PLAN AND APPROVING  
A TENTATIVE SUBDIVISION MAP AND SUBDIVISION DESIGN REVIEW WITH  
DEVIATION FOR THE SHELDON GROVE PROJECT (PLNG20-025)  
ASSESSOR PARCEL NUMBER 115-0150-042**

**WHEREAS**, the Development Services Department of the City of Elk Grove (City) received an application on July 1, 2020, from Angelo G. Tsakopoulos, (Applicant) requesting a General Plan Amendment, Rezone, Tentative Subdivision Map, and Subdivision Design Review with Deviation for the Sheldon Grove Project (Project); and

**WHEREAS**, the proposed Project is located on real property in the incorporated portions of the City more particularly described as APN 115-0150-042; and

**WHEREAS**, on June 23, 2021, the City Council adopted Resolution No. 2021-189, adopting an Amended Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Sheldon Grove Project (PLNG20-025); and

**WHEREAS**, the Development Services Department considered the Project request pursuant to the Elk Grove General Plan; the Elk Grove Municipal Code (EGMC) Title 22 (Land Development) and Title 23 (Zoning Code) and all other applicable state and local regulations; and

**WHEREAS**, Section 65358(b) of the California Government Code limits the City to four (4) General Plan amendments annually; and

**WHEREAS**, for this reason, and to accommodate development, the City will consolidate General Plan Amendments as one amendment approval, to be heard by the City Council at the August 11, 2021 hearing date under a separate item; and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on June 3, 2021, as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting, and voted 4-1 (Fernandez voting no) to recommend approval of the Project to the City Council; and

**WHEREAS**, the City Council held a duly-noticed public hearing on June 23, 2021, as required by law to consider all of the information presented by staff, information presented by the Applicant, and public testimony presented in writing and at the meeting.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby declares 1) its intent to adopt an amendment to the General Plan, and 2) approves a Tentative Subdivision Map and Subdivision Design Review with Deviation, as described in Exhibit A and illustrated in Exhibits B, and C, and subject to the conditions set forth in Exhibit D, each of which is incorporated herein by these references, and based upon the following findings:

## *General Plan Amendment*

**Finding #1:** There is there is a substantial benefit to be derived from the amendment.

**Evidence:** The Project proposes that the General Plan land use designation for the Project site be changed from Community Commercial to Low Density Residential (LDR). The LDR designation allows for single-family residential development at a density of 4.1 to 7.0 dwelling units per acre. The designation is mainly intended for detached single-family dwellings. The Project site is an Infill site pursuant to the City's General Plan. The General Plan encourages new housing within infill sites to be built in a variety of shapes and sizes. Additionally, the Project is consistent with the following General Plan policies regarding infill development, such as this Project site. Policy LU-2-1 and MOB-5-1 promote increased densities and the intensity of development along identified transit corridors such as Sheldon Road. Policy LU-2-4 requires new infill development projects to be compatible with the character of surrounding areas and neighborhoods, support increased transit use, promote pedestrian and bicycle mobility, and increase housing diversity. Pursuant to the General Plan definition, "Compatibility" does not mean "the same as." Therefore, there is substantial benefit to be derived from the amendment.

## ***Tentative Subdivision Map***

**Finding:** None of the findings (a) through (g) below in Section 66474 of the California Government Code that require a City to deny approval of a tentative map apply to this Project.

- a. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c. That the site is not physically suitable for the type of development.
- d. That the site is not physically suitable for the proposed density of development.
- e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g. That the design of the subdivision or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

## **Evidence:**

- (a) As described in the Project staff report, the proposed Project is consistent with proposed land use designation and policies in the Elk Grove General Plan for Low Density Residential development. The proposed Tentative Subdivision Map will allow for residential development consistent with the proposed General Plan land use designation for the site.
- (b) As described in the staff report, the proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are consistent with the EGMC Title 23 development standards and land use designations for the proposed zoning district for the Project site.

- (c) The site is physically suitable for the proposed development. The General Plan land use map has anticipated the Project site for the development of both residential and commercial uses. Access to the site will be provided or is available and necessary services and facilities can be provided. Therefore, the site is physically suitable for the development proposed.
- (d) As described in the Project staff report, all residential lots proposed by the Project are consistent with the allowed densities as provided under the General Plan for Low Density Residential development. Services and facilities to serve the Project, including water, sewer, electricity, and other utilities, are available or will be provided. Therefore, the site is appropriate for the proposed density of development.
- (e) The Project site is physically suitable for the proposed type of development based upon the analysis presented in the Sheldon Grove IS/MND.
- (f) The design of the subdivision will not cause serious public health problems based upon the analysis presented in the IS/MND and subject to the MMRP prepared for the Project.
- (g) The design of the subdivision will not conflict with easements acquired by the public at large as demonstrated by review of the Project.

### ***Design Review for Subdivision Layout***

Finding #1: The proposed Project is consistent with the objectives of the General Plan, complies with applicable zoning regulations, Specific Plan provisions, Special Planning Area provisions, and Citywide Design Guidelines adopted by the City.

Evidence #1: The site layout has been reviewed against the Elk Grove Design Guidelines for residential subdivisions and meets all applicable design requirements. The Project does not include any buildings at this time. The proposed subdivision map and related plans provide all the design elements required by the EGMC Titles 22 and 23. The Project includes Design Review Deviation for the landscape corridor width requirement on Power Inn Road. For four-lane roads, such as Power Inn Road, the minimum width is 25 feet. However, pursuant to EGMC Chapter 23.16.080(H), the City may allow reductions in the corridor width as part of the Design Review process. According to the Elk Grove Design Guidelines, the intent is for infill development to be consistent with the predominant character of an existing corridor. The Project proposes a 21-foot landscape corridor along Power Inn Road, which is consistent with the existing landscape corridor immediately to the north of the Project site as well as the adjacent residential development to the west on the other side of Power Inn Road. The proposed 21-foot landscape corridor is consistent with Zoning Code requirements for minimum planter width the RD-7 zoning district. Both staff and CCSD Parks support the proposed deviation as the Project is an infill site and the proposed corridor is consistent with adjacent development. The proposed Deviations meet the intent of the Zoning Code to improve the usability of the site. The conditions of approval and the requirement for subsequent design review entitlements for future development will ensure consistency with all standard requirements.

Finding #2: The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.

Evidence #2: The Project does not include any buildings at this time. The proposed subdivision map and related plans provide all the design elements required by the EGMC Titles 22 and 23. The Project includes Design Review Deviation for the landscape corridor width requirement on Power Inn Road. For four-lane roads, such as Power Inn Road, the minimum width is 25 feet. However, pursuant to EGMC Chapter 23.16.080(H), the City may allow reductions in the corridor width as part of the Design Review process. According to the Elk Grove Design Guidelines, the intent is for infill development to be consistent with the predominant character of an existing corridor. The Project proposes a 21-foot landscape corridor along Power Inn Road, which is consistent with the existing landscape corridor immediately to the north of the Project site as well as the adjacent residential development to the west on the other side of Power Inn Road. The proposed 21-foot landscape corridor is consistent with Zoning Code requirements for minimum planter width the RD-7 zoning district. Both staff and CCSD Parks support the proposed deviation as the Project is an infill site and the proposed corridor is consistent with adjacent development. The proposed Deviations meet the intent of the Zoning Code to improve the usability of the site. The conditions of approval and the requirement for subsequent design review entitlements for future development will ensure consistency with all standard requirements.

Finding #3: The architecture, including the character, scale and quality of the design, relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements establishes a clear design concept and is compatible with the character of buildings on adjoining and nearby properties.

Evidence #3:

Though the Project does not include any building plans at this time, a condition has been placed on the Project requiring the future Master Home Plans to be designed to ensure that garages in single-family residential neighborhoods will be subordinate to the main living area/designated outdoor living space and not dominate the streetscape. With this condition, each lot shall provide a garage door with a minimum setback equal to or greater than the minimum setback to the livable portion or outdoor living area of the home and the majority of lots shall be constructed with a livable portion or outdoor living area of the home (e.g., porch or patio) of the house extending beyond the garage door. In addition, the condition requires that one or more of the following techniques should be used to minimize the visual impact of the garage door to the satisfaction of the Development Services Director:

- Place the garage at the rear of the lot, attached or detached from the main dwelling;
- Cantilever the second story (or a portion thereof) out over the garage;
- Utilize a tandem garage so that the appearance from the street is that of a single-car garage;
- Articulate garage doors with windows, paneling, or other high-quality detailing; and/or
- Other creative design alternatives that serve the functional equivalent of minimizing the appearance garage doors.

Future master home plans shall be required to be submitted for design review and approval by the Development Services Director prior to the issuance building permits for any single-family residential homes and will be subject to the requirements of the Elk Grove Design Guidelines (except where superseded by the aforementioned Condition #50), which will ensure quality home design.

Finding #4: The proposed Project will not create conflicts with vehicular, bicycle, or pedestrian modes of transportation.

Evidence #4: The proposed Project layout and circulation is based upon a “modified grid” pattern. The layout of streets includes a mixture of grid and cul-de-sacs. The Project would include two new vehicle access points, including one on Sheldon Road and one on Power Inn Road. Therefore, the Project will not create conflicts with vehicular, bicycle, or pedestrian modes of transportation.

Finding #5: The residential subdivision is well integrated with the City’s street network, creates unique neighborhood environments and establishes a pedestrian friendly environment.

Evidence #5: The infill Project includes an interconnected street system that is integrated into the City’s street network with new accesses provided to Sheldon Road and Power Inn Road. The proposed Project layout and circulation is based upon a “modified grid” pattern. The layout of streets includes a mixture of grid and cul-de-sacs, which creates a unique neighborhood environment and establishes a pedestrian friendly environment. The Project has been conditioned to provide a bike and pedestrian connection from “A” Street to Vista Brook Drive to the satisfaction of the Development Services Director.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 23<sup>rd</sup> day of June 2021



BOBBIE SINGH-ALLEN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:



JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:



JONATHAN P. HOBBS,  
CITY ATTORNEY

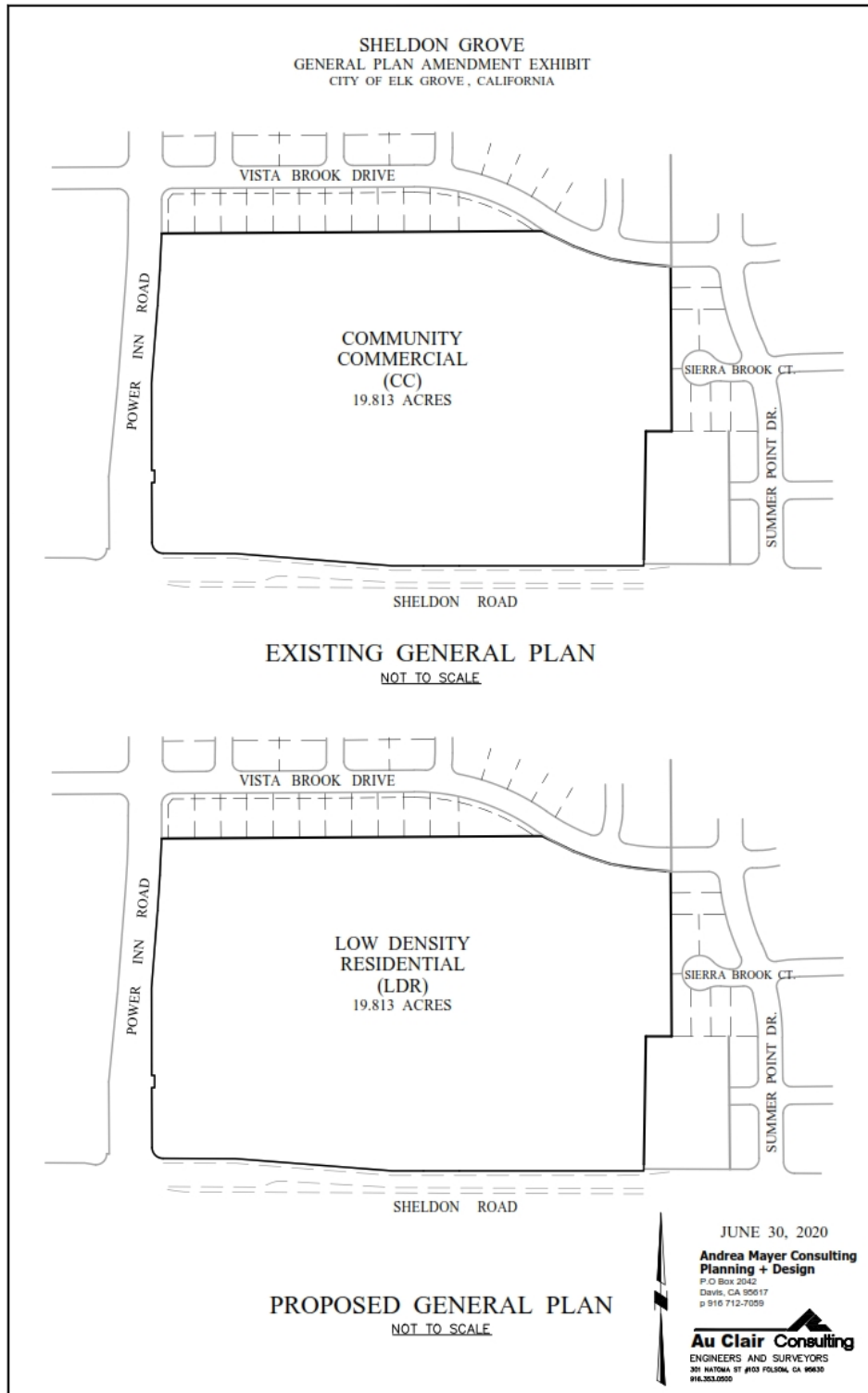
**Exhibit A**  
**Sheldon Grove (PLNG20-025)**  
**Project Description**

**PROJECT DESCRIPTION**

The Sheldon Grove Project (the “Project”) consists of a General Plan Amendment from Community Commercial (CC) to Low Density Residential (LDR), a Rezone from General Commercial (GC) to RD-7, and a Tentative Subdivision Map to subdivide one parcel into 123 single family residential lots and three landscape lots. The Project includes a Subdivision Design Review with a Deviation for a reduced landscape corridor of 21-feet on Power Inn Road.

The Project shall comply with the City’s Climate Action Plan (CAP) for new single-family development, including CAP measures related to energy efficiency (BE-4), electric appliances (BE-6), Vehicle Miles Traveled Reductions (TACM-6), off-road construction fleet (TACM-8), and electric vehicle charging (TACM-9).

**Exhibit B**  
**Sheldon Grove (PLNG20-025)**  
**Proposed General Plan Amendment**



# EXHIBIT C

## TENTATIVE SUBDIVISION MAP SHELDON GROVE CITY OF ELK GROVE, CALIFORNIA



**VICINITY MAP**  
NOT TO SCALE

**PROJECT NOTES**  
APPLICANT/SUBDIVIDER  
ANGELO G. TSAKPOPOULOS  
1436 RIVER PARK DRIVE, SUITE 500  
SACRAMENTO, CA  
CONTACT: ANGELO G. TSAKPOPOULOS  
PHONE: (916) 972-7000

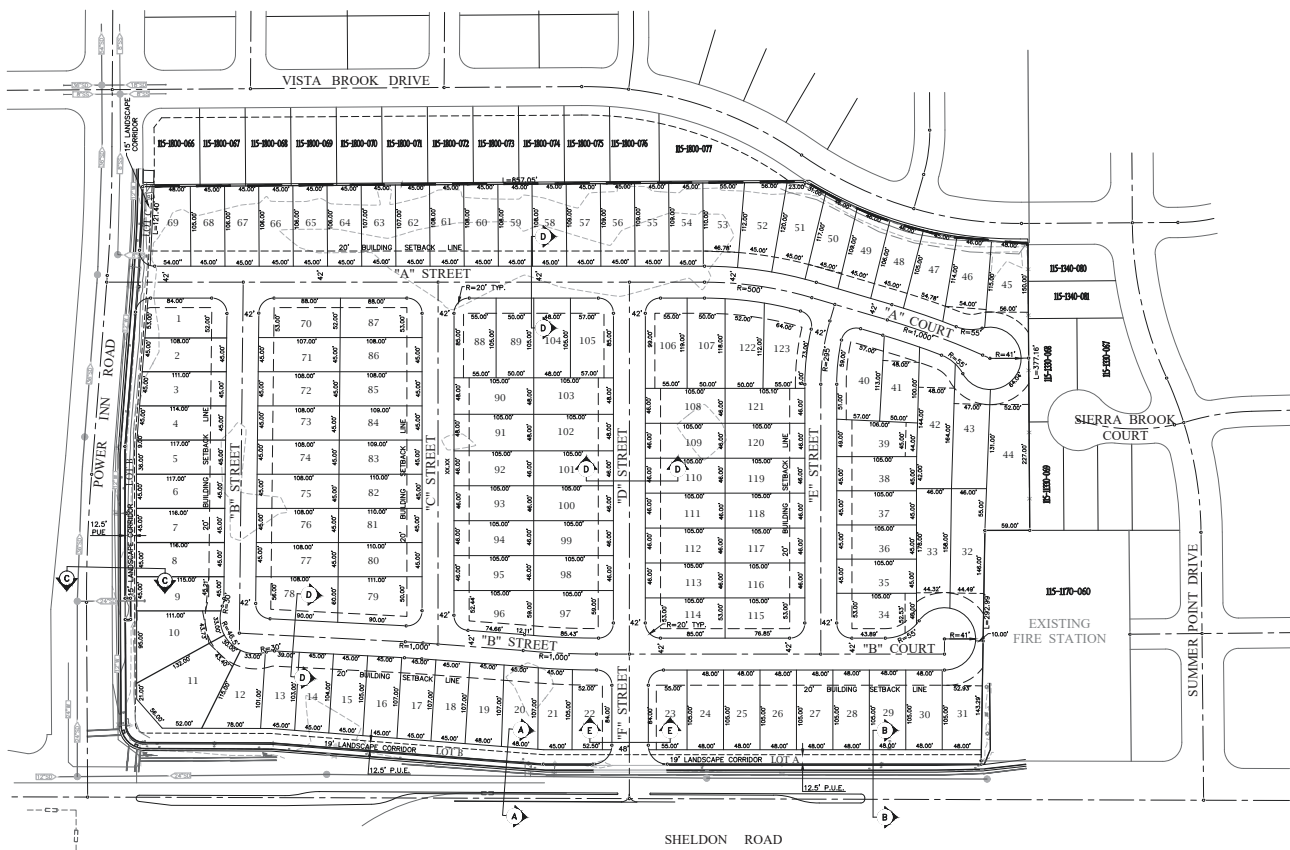
**ACREAGE SUMMARY**

LOT USE	ACREAGE
LOTS 1-123 SINGLE FAMILY RESIDENTIAL	15.235
LOT A--LANDSCAPE CORRIDOR	0.152
LOT B--LANDSCAPE CORRIDOR	0.428
LOT C--LANDSCAPE CORRIDOR	0.336
INTERIOR STREET RIGHT OF WAY	3.962
<b>TOTAL</b>	<b>19.813</b>

- LEGEND:**
- EXISTING WATER MAIN WITH SIZE
  - EXISTING GATE VALVE
  - EXISTING MANHOLE
  - EXISTING GRAN INLET
  - EXISTING DRAIN LINE WITH SIZE
  - EXISTING SEWER MAIN WITH SIZE
  - EXISTING STREET LIGHT

- NOTES:**
- THE SHELDON ROAD MEDIAN WILL BE RECONSTRUCTED TO PROVIDE A LEFT TURN LANE IN AND LEFT TURN LANE OUT WITH RASSED CURBS AT PROPOSED "Y" STREET. FINAL LINE CONFIGURATION AND STACKING LENGTHS WILL BE SUBMITTED TO CITY STAFF DURING THE FINAL SITE PLAN DEVELOPMENT.
  - THE "Y" STREET RIGHT-OF-WAY IS PROPOSED AT 48 FEET, WHICH ACCOMMODATES AN 11 FOOT TRAVEL LANE IN EACH DIRECTION AND A 10 FOOT RIGHT TURN LANE ON THE SOUTHBOUND SIDE.
  - AN EXCEPTION TO EXCEED 3:1 RATIO OF DEPTH TO WIDTH IS REQUIRED FOR LOTS 32, 33, 42, 43, AND 44.
  - THE FOLLOWING LOTS HAVE WIDTHS LESS THAN 45 FEET AT THE SETBACK LINE: 10, 11, 12, AND 33.
  - THERE IS A 5 FOOT POSTAL EASEMENT ADJACENT TO ALL ROAD RIGHT OF WAYS SHOWN HEREON.

**COUNTY BENCH MARK:**  
2" BRASS DISC STAMPED "SAC. CO. DEPT. OF PUBLIC WORKS B.M. 25-58 BOWERS" LOCATED IN TOP SOUTH SIDE OF CONCRETE BASE OF STREET LIGHT 6300'4" NORTH SIDE OF SHELDON ROAD AT THE NORTHWEST CORNER OF SHELDON ROAD AND SUMMER POINT DRIVE APPROXIMATELY 0.75 MILES EAST OF STOCKTON BOULEVARD. SEE LL B-96A PG. 66. LEVELS FROM N.G.S. 17-443 AND 01414.



**OWNER**  
ANGELO G. TSAKPOPOULOS AND ANGELO G. TSAKPOPOULOS  
2012 BREVOCABLE FAMILY TRUST  
1436 RIVER PARK DRIVE, SUITE 500  
SACRAMENTO, CA  
CONTACT: ANGELO G. TSAKPOPOULOS  
PHONE: (916) 972-7000

**ENGINEER**  
AU CLAIR CONSULTING INC.  
303 NATOMA STREET, SUITE 103  
FOLSOM, CA 95630  
CONTACT: STEPHEN AU CLAIR  
PHONE: (916) 353-0500

**PLANNER**  
ANDREA MAYER CONSULTING INC.  
PLANNING AND DESIGN  
P.O. BOX 2042  
DAVIS, CA 95617  
PHONE: (916) 712-7059

**ASSESSOR'S PARCEL NO.**  
115-0150-042-0000

**AREA**  
13.873 ACRES

**EXISTING GENERAL PLAN**  
COMMUNITY COMMERCIAL (CC)

**PROPOSED GENERAL PLAN**  
LOW DENSITY RESIDENTIAL (LDR)

**EXISTING ZONING**  
GC

**PROPOSED ZONING**  
RD-7

**EXISTING USE**  
VACANT

**PROPOSED USE**  
SINGLE FAMILY RESIDENTIAL

**UTILITY PROVIDERS**  
WATER SERVICE  
ELK GROVE WATER WORKS/COUNTY ZONE 40  
PHONE: (916) 886-3586  
SANITARY SEWER  
COUNTY SANITATION DISTRICT NO. 1  
PHONE: (916) 875-5545  
STORM DRAIN  
CITY OF ELK GROVE  
PHONE: (916) 478-3643  
FIRE PROTECTION  
ELK GROVE/CONSUMERS COMMUNITY SERVICE DISTRICT  
TELEPHONE  
FRONTIER COMMUNICATIONS  
CABLE  
COMCAST  
PHONE: 1-800-266-2278  
GAS  
PGE  
PHONE: 1-800-743-5000  
ELECTRICITY  
SNDP  
PHONE: 1-888-742-7683  
RECREATION  
CITY OF ELK GROVE/ELK GROVE CSD  
SCHOOL DISTRICT  
ELK GROVE UNIFIED SCHOOL DISTRICT

**SITE DESCRIPTION:**  
SACRAMENTO COUNTY  
LOT 3 AS SHOWN IN SUBDIVISION BOOK 290 PAGE 7.

**EASEMENTS:**

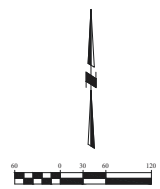
I HEREBY STATE THAT ALL EASEMENTS AS INDICATED IN STEWART TITLE COMPANY PRELIMINARY TITLE REPORT NO. QM15077869-AV DATED AS OF JUNE 15, 2020 HAVE BEEN SHOWN HEREON AND/OR HAVE BEEN ACCOUNTED FOR IN NOTE PLACED HEREON. ALL EASEMENTS PROPOSED TO BE ABANDONED OR CHECK CLAIMED AND/OR ALL EASEMENTS THAT CANNOT BE LOCATED.

*Stephen Au Clair*  
SIGNER:  
OCTOBER 13, 2020  
DATE

**TENTATIVE SUBDIVISION MAP**  
SHEET 1 OF 2  
OCTOBER 25, 2020

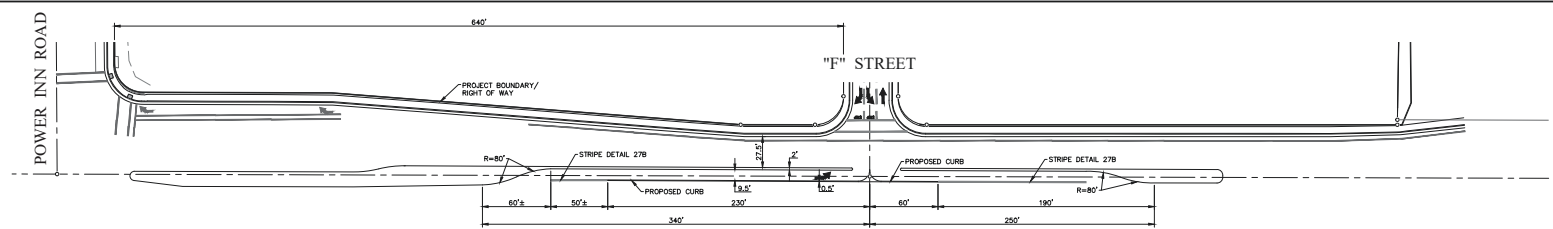
**Andrea Mayer Consulting**  
Planning + Design  
P.O. Box 2042  
Davis, CA 95617  
p 916-712-7059

**Au Clair Consulting**  
ENGINEERS AND SURVEYORS  
303 NATOMA ST #103 FOLSOM, CA 95630  
916.353.0500

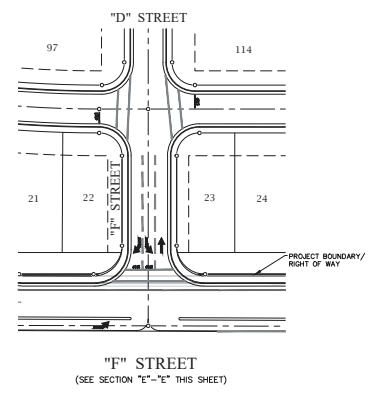
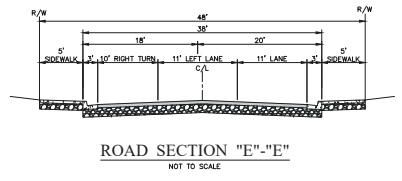
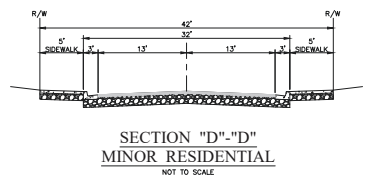
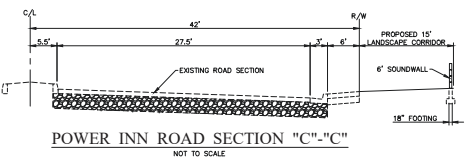
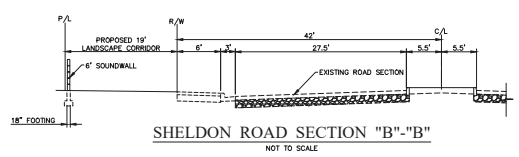
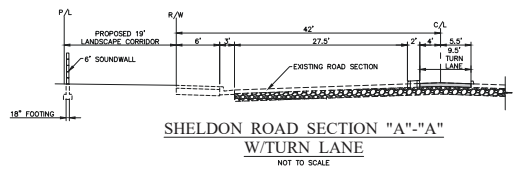


11/15/2020 (Updated: From 11/15/2020) (Project: SHELDON GROVE) (Sheet: SHEET 1 OF 2) (Scale: 1"=30') (Title: EXHIBIT C)





**SHELDON ROAD**  
(SEE SECTION "A"- "A" THIS SHEET)



- LEGEND:**
- PROPOSED STOP BAR..... STOP
  - LEFT TURN ARROW.....
  - RIGHT TURN ARROW.....
  - STRAIGHT ARROW.....
  - PROPOSED PAINT STRIPE.....
  - EXISTING PAINT STRIPE.....
  - CURB, GUTTER & SIDEWALK.....
  - LOT NUMBER..... 23

TENTATIVE SUBDIVISION MAP  
SHEET 2 OF 2  
OCTOBER 25, 2020

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**Planning + Design**  
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**Au Clair Consulting**  
ENGINEERS AND SURVEYORS  
301 NATOMA ST #103 FOLSOM, CA 95630  
916.353.0500

11/20/2020 (Updated) From: 10/20/2020 (Approved) 027-003-Subdivision Map, Location: 11/20/20, CS-18-27

**Exhibit D**  
**Sheldon Grove (PLNG20-025)**  
**Conditions of Approval**

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
<b>ON-GOING</b>				
1.	Development and operation of the proposed Project shall be consistent with the Project Description and Project Plans as provided in Exhibits A and B, incorporated herein by this reference. Deviations from the approved plans shall be reviewed by the City for substantial compliance and may require amendment by the appropriate hearing body.	On-Going	Planning	
2.	This action does not relieve the Applicant of the obligation to comply with all ordinances, statutes, regulations, and procedures.	On-Going	Planning	
3.	The Applicant, or Successors in Interest (hereinafter referred to as the Applicant) shall indemnify, protect, defend, and hold harmless the City, its officers, officials, agents, employees, and volunteers from and against any and all claims, damages, demands, liability, costs, losses or expenses including without limitation court costs, reasonable attorney's fees and expert witness fees arising out of this Project including challenging the validity of this Application/permit or any environmental or other documentation related to approval of this application.	On-Going	Planning	
4.	Except as otherwise specified or provided for in the Project plans or in these conditions, the Project shall conform to the development standards and design requirements adopted by the City of Elk Grove, specifically including but not limited to the following: <ul style="list-style-type: none"> <li>• The Elk Grove Zoning Code (Title 23 of the EGMC)</li> <li>• EGMC Chapter 14.10 (Water Efficient Landscape Requirements)</li> <li>• EGMC Title 16 (Building and Construction)</li> <li>• EGMC Title 22 (Land Development)</li> </ul>	On-Going	Planning	
5.	The Applicant shall design and construct all improvements in accordance with the City of Elk Grove Improvement Standards, as further conditioned herein, and to the satisfaction of the City. Specific locations on median(s) that require emergency vehicle access will be evaluated during review and acceptance of the Improvement Plans.  Public sewer, water, and other utility infrastructure shall be designed and constructed with the standards of the appropriate utility.	On-Going	Engineering SCWA SASD SMUD PG&E	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
6.	The Applicant shall pay all plan check fees, impact fees, or other costs as required by the City, the Cosumnes Community Services District (CCSD), Sacramento Area Sewer District (SASD), Sacramento County Water Agency (SCWA), or other agencies or services providers as established by law.	On-Going	Planning Engineering CCSD SCWA SASD	
7.	Approval of this project does not relieve the Applicant from the requirements of subsequent permits and approvals, including but not limited to the following as may be applicable: <ul style="list-style-type: none"> <li>• Grading Permit and Improvement Plan</li> <li>• Building Permit and Certificate of Occupancy</li> <li>• Requirements of the Sacramento Metropolitan Air Quality Management District</li> <li>• Fire Department review for permits and/or occupancy</li> </ul>	On-Going	Planning Engineering Building CCSD SCWA SASD	
8.	As to any fee, dedication, reservation, or exaction established by these conditions of approval that are subject to the Mitigation Fee Act, notice is hereby given pursuant to California Government Code Section 66020(d) that the 90-day period in which you may protest the fees set forth herein has begun to run as of the date of approval of this Project. Other limitations periods may apply. The City reserves all rights.	On-Going	Planning	
9.	If cultural resources or tribal cultural resources are discovered during grading or construction activities on the Project Site, work shall halt immediately within 50 feet of the discovery, the Planning Division shall be notified, and a professional archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in archaeology shall be retained to determine the significance of the discovery.  If resources are determined to be potentially significant, the City shall require the preparation of a treatment plan and report of findings for cultural and tribal cultural resources. The City and the Applicant shall consult and agree to implement all measures the City deems feasible. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. The Applicant shall be required to implement measures necessary for the protection and documentation of cultural resources.  A note stating the above shall be placed on the Improvement Plans.	On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first.  Monitoring shall be On-Going	Planning	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
10.	<p>All construction must stop if any human remains are uncovered, and the County Coroner must be notified according to Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the procedures outlined in State CEQA Guidelines Section 15064.5 (d) and (e) shall be followed.</p> <p>A note stating the above shall be placed on the Improvement Plans.</p>	<p>On-Going and Prior to Improvement Plans or Grading Permit(s), whichever occurs first.</p> <p>Monitoring shall be On-Going</p>	Planning	
11.	Water supply shall be provided by the Sacramento County Water Agency (SCWA).	On-Going	SCWA	
12.	In the event the Applicant requires the relocation or removal of existing SMUD facilities on the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.	On-Going	SMUD	
13.	SMUD reserves the right to use any portion of its easements on the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.	On-Going	SMUD	
14.	SMUD has existing underground 12kV facilities along Sheldon Road and Power Inn Road that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 128 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.	On-Going	SMUD	
15.	Any deviations to the approved Level 3 sewer study may require an addendum as determined by Sacramento Area Sewer District (SASD).	On-Going	SASD	
16.	Project shall meet the access and water supply requirements of the building standards adopted at the time of plan submittal.	On-Going	CCSD – Fire Department	

<u>Conditions of Approval</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>	
<b>Prior To or In Conjunction with Improvement and/or Grading Plan Submittal or Approval</b>				
17.	The development approved by this action is subject to the Mitigation Monitoring and Reporting Program (MMRP) adopted as part of the Project. A deposit of \$10,000 for monitoring mitigation measures applicable to this development shall be paid to the City in order to assure MMRP compliance. Until the MMRP has been recorded and the estimated MMRP deposit of \$10,000 has been paid, no grading, building, sewer connection, water connection, or occupancy permit from the City or County will be approved. If actual City monitoring costs exceed the initial estimate, a revised estimate and/or supplemental bill(s) shall be submitted to the Applicant. If actual City monitoring costs are less than the initial estimate, the difference will be refunded to the Applicant. If the Project is constructed in phases between multiple parties, additional deposit(s) shall be required to the satisfaction of the Development Services Director.	Improvement Plans or, Grading Permit, whichever occurs first	Planning	
18.	At the entrance to the subdivision on Sheldon Road, the masonry wall shall include enhancements similar to those discussed during the June 3, 2021 Planning Commission meeting to satisfaction of the Development Services Director.	Improvement Plans	Planning	
19.	The Applicant shall prepare and submit a drainage study to the satisfaction of the City and in accordance with City of Elk Grove Storm Drainage Master Plan, Improvement Standards, General Plan, and any other applicable drainage master plans or studies.	Improvement Plans or Grading Permit, whichever occurs first	Engineering Public Works	
20.	The Applicant shall prepare and submit a Post-Construction Stormwater Quality Control Plan in accordance with the City of Elk Grove Improvement Standards and most recent version of the Stormwater Quality Design Manual for the Sacramento Region. The Applicant shall also submit a separate maintenance manual describing proper maintenance practices for the specific treatment controls to be constructed.	Improvement Plans or Grading Permit, whichever occurs first	Engineering Public Works	
21.	Low Impact Development (LID) features adopted in the Sacramento Region Stormwater Quality Manual (Manual) shall be implemented for the Project. All the designs shall be consistent with the design examples prescribed in the latest edition of the Manual.	Improvement Plans	Engineering Public Works	
22.	The Applicant shall submit landscape and civil improvement plans for landscape corridors to the CCSD for review and approval.	Improvement Plans	CCSD Parks	

<u>Conditions of Approval</u>		<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>
23.	Sacramento Area Sewer District (SASD) requires each building on each lot with a sewage source to have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private onsite sewer line or a separate connection to the SASD public sewer line.	Improvement Plans	SASD	
24.	To obtain sewer service, construction of SASD sewer infrastructure shall be required. Current SASD Standards and Specifications apply to any offsite or onsite public sewer construction or modification. These improvements shall be shown on the plans. Field modifications to new or existing precast manhole bases are not allowed.	Improvement Plans	SASD	
25.	The Applicant shall destroy any abandoned wells on the proposed project site in accordance with the requirements of the Sacramento County Environmental Health Division. Clearly show all abandoned/destroyed wells on the improvement plans for the project. Prior to abandoning any existing agricultural wells, Applicant shall use water from agricultural wells for grading and construction.	Improvement Plans	SCWA	
26.	Separate public water shall be provided to each parcel. All water lines shall be located within a public right-of-way or within easements dedicated to the Sacramento County Water Agency (SCWA). Easements shall be reviewed and approved by SCWA prior to Improvement Plan approval or Final Map approval, whichever occurs first.	Improvement Plans	SCWA	
27.	Any necessary future SMUD facilities located on the Applicant's property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant's property.	Improvement Plans	SMUD	
28.	The Applicant shall coordinate with the Cosumnes Community Services District and City staff on the final landscape plans for the landscape corridors along Sheldon Road and Power Inn Road. To the extent practicable, the landscape corridors should provide an attractive and effective landscaping solution to reduce noise and present a visually attractive neighborhood, such as installing 24-inch box trees at the east side of the Project site on Sheldon Road, to the satisfaction of the City.	Improvement Plans	Planning/ CCSD	

<b>Prior to or In Conjunction with Final Map</b>			
29.	<p>Prior to recordation of final map, the Project shall annex into the <b>Maintenance Mello-Roos Community Facilities District 2006-1</b> (CFD), to fund the project's fair share of landscape related maintenance costs associated with public parkways, public parks, open space, landscape setbacks, bike and other paths, landscaped medians in and adjacent to roadways, maintenance and operation of a community center, sports (including aquatic) facilities, cultural arts center, and water features, and maintenance of other related facilities. The annexation process can take several months, so applicants should plan accordingly. The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/">http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/</a></p>	Final Map	Finance
30.	<p>Prior to recordation of final map, the Project shall annex into the <b>Storm Water Drainage Fee Zone 2</b> to fund a portion of the additional costs for storm water drainage and run-off maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The completed application for the annexation is due prior to the Resolution of Intention to Levy Storm Water Drainage Fee Zone 2 assessments. For further information on this District, see <a href="http://www.codepublishing.com/CA/elkgrove/#!/ElkGrove15/ElkGrove1510.html#15.10">http://www.codepublishing.com/CA/elkgrove/#!/ElkGrove15/ElkGrove1510.html#15.10</a>.</p>	Final Map	Finance
31.	<p>Prior to recordation of final map, the Project shall annex into the <b>Street Maintenance Assessment District No. 1, Zone 3</b>, to fund a portion of the additional costs for long-term roadway maintenance related to serving the new development. The annexation process can take several months, so applicants should plan accordingly. The application fee and completed application for the annexation is due prior to the Resolution of Intention to Levy Street Maintenance Assessments. For further information on this District, see <a href="http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/assessment_other_district_information/">http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/assessment_other_district_information/</a></p>	Final Map	Finance

32.	Prior to recordation of final map, the Project shall annex into the <b>Police Services Community Facilities District 2003-2 (CFD)</b> , to fund the project's fair share of Public Safety costs. The annexation process can take several months, so applicants should plan accordingly. The application fee and completed application for the annexation is due prior to the Resolution of Intention to Annex the Property and Levy the Special Tax. For further information regarding this CFD, see <a href="http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/">http://www.elkgrovecity.org/city_hall/departments_divisions/finance/mello_roos_cfds/</a> .	Final Map	Finance	
33.	The Final Map shall be limited to a maximum of 122 residential lots. Neither the Applicant, nor any of its Successors in Interest, shall construct, or seek to construct, more than 122 residential lots at the Project site unless so authorized by the City Council.	Final Map	Planning	
34.	A Homeowners Association (HOA) shall be formed and Covenants, Conditions and Restrictions (CC&Rs) drafted prior to approval of any final map, and the CC&Rs shall be recorded concurrent with recordation of the final map. The provisions of the CC&Rs shall be as follows: All buildings, yards, structures, signs, parking areas, fencing, and other improvements shall be maintained in such a manner that does not detract from the appearance of the community. The subdivider shall provide for the enforcement responsibilities of those CC&Rs through the formation of a HOA. The HOA shall be required to contract with a professional management firm to handle any enforcement activities.	Final Map	Planning/ Engineering	
35.	The Applicant shall design and construct an eastbound left-turn pocket and eastbound merging lane on Sheldon Road at "F" Street as shown on the Tentative Subdivision Map to the satisfaction of the City.	Final Map	Engineering	
36.	The Applicant shall provide the following signal modifications at the intersection of Sheldon Road and Power Inn Road to the satisfaction of the City: <ul style="list-style-type: none"> <li>• Southbound right-turn overlap signal phase during the AM/PM Peak-Hour.</li> <li>• Restrict the eastbound U-turn movement during the AM/PM Peak-Hour.</li> </ul>	Final Map	Engineering	
37.	The Applicant shall dedicate a 12.5-foot public utility easement for underground facilities and appurtenances adjacent to all public streets within the Project site with ultimate right-of-way.	Final Map	Engineering	
38.	The Applicant shall dedicate, design and construct all internal streets as shown on the Tentative Subdivision Map in accordance with the City's Improvement Standards and to the satisfaction of the City.	Final Map	Engineering	



39.	Lots A, B and C shall be dedicated to the City in fee title.	Final Map	Engineering	
40.	For all single-family corner lots, an access restriction shall be recorded on the property from the driveway around the corner to the property line of the side yard,	Final Map	Engineering	
41.	The Applicant may satisfy their public improvement obligations by entering into a Subdivision Improvement Agreement with the City, which shall include the appropriate security.	Final Map	Engineering	
42.	The Applicant shall dedicate, design, and install a bike and pedestrian connection from the subdivision to Vista Brook Drive to the satisfaction of the City. Dedication to the City shall be in fee title.	Final Map	Planning Engineering	
43.	The Applicant shall construct and install landscape improvements in designated landscape lots according to plans and specifications approved by the CCSD.	Final Map	CCSD	
44.	The Applicant shall pay Quimby in-lieu parkland fees to CCSD in accordance with Elk Grove Municipal Code Chapter 22.40 Park and Recreation Dedication and Fees. Calculation of fees shall be based upon the appraisal method listed in EGMC Section 22.40.40.(B).	Final Map	CCSD	

45.	<p>Prior to the recordation of the final map, the Applicant shall (1) approve (a) the formation of a new or annexation into an existing community facilities district (“CFD”) and (b) an annual CFD special tax; or (2) deposit a sum money, as determined by the Cosumnes Community Services District, sufficient for the Cosumnes Community Services District to fund a portion of the cost of the District’s ongoing fire and emergency services, maintenance, operation, and repair and replacement of fire station facilities and fire and emergency equipment and routine and deferred maintenance and replacement of park facilities, trails and landscape corridors attributable to the property and (b) replacement of district wide facilities attributable to the property. Any costs for the approval and creation of such annual special tax, annexation of the Property into an existing Mello-Roos Community Facilities District for the Cosumnes Community Services District, or administration of the sum of money deposited to fund the fire and emergency services and maintenance of park facilities, trails and landscape corridors, shall be paid from the annual special taxes of the Community Facilities District or the sum of money deposited with the Cosumnes Community Services District. In the event that the property owner(s) fails to approve an annual special tax or deposit a sum of money as provided for herein for such purposes for the Cosumnes Community Services District, no building permits for the property shall be issued or approval of the Improvement Plan shall be provided.</p> <p>It is the responsibility of the Applicant or their representative to contact the Cosumnes Community Services District at (916)405-7100 in order to initiate the Community Facilities District process</p>	Final Map	Cosumnes CSD Fire Department	
46.	<p>A full masonry block wall (6-foot high) shall be installed at the property line along landscape corridors. Fence/wall specifications shall be determined by the CCSD. Accordingly, general maintenance, repair or replacement of the fence/wall is the responsibility of the homeowner, not the CCSD. The CCSD will be responsible solely for graffiti removal on the exterior portion of the fence/wall which faces the park or parkway.</p>	Final Map	CCSD	

PRIOR TO OR IN CONJUNCTION WITH BUILDING PERMIT				
47.	The Applicant shall reconstruct any damaged curb, gutter, sidewalk and/or pavement caused by construction-related activities associated with the Project site. If pavement replacement is necessary, as determined by the City, the Applicant may be required to grind, overlay, and/or slurry seal the damaged portion(s) in accordance with the City Improvement Standards and to the satisfaction of the City. The Applicant shall schedule an inspection with the City to document the pre-construction condition of existing surface infrastructure adjacent to and near the Project.	Building Permit	Engineering	
48.	The Applicant shall reconstruct any existing ADA compliance improvements adjacent to the Project to meet current standards.	Building Permit	Engineering	
49.	Developing this property may require the payment of sewer impact fees in accordance with the Sacramento Area Sewer District's Ordinance. Fees are to be paid prior to the issuance of building permits. The Applicant should contact Permit Services Unit at (916) 876-6100 for sewer impact fee information.	Building Permit	SASD	
50.	The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance requirements for other utilities (e.g., Gas, Telephone, etc.).	Building Permit	SMUD	
51.	The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: <a href="https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm">https://www.smud.org/en/business/customer-service/support-and-services/design-construction-services.htm</a>	Building Permit	SMUD	
52.	The Applicant shall provide separate SMUD service points to each parcel to the satisfaction of SMUD.	Building Permit	SMUD	

53.	<p>The Project shall be designed to ensure that garages in single-family residential neighborhoods will be subordinate to the main living area/designated outdoor living space and not dominate the streetscape. Future Master Home Plans for MDR neighborhoods shall provide a diverse streetscape through a combination of varied building offset at front property line and house plans that vary in porch or living projections past garage plane. Each lot shall provide a garage door with a minimum setback equal to or greater than the minimum setback to the livable portion or outdoor living area of the home and the majority of lots shall be constructed with a livable portion or outdoor living area of the home (e.g., porch or patio) of the house extending beyond the garage door. In addition, one or more of the following techniques should be used to minimize the visual impact of the garage door to the satisfaction of the Development Services Director:</p> <ul style="list-style-type: none"> <li>• Place the garage at the rear of the lot, attached or detached from the main dwelling;</li> <li>• Cantilever the second story (or a portion thereof) out over the garage;</li> <li>• Utilize a tandem garage so that the appearance from the street is that of a single-car garage;</li> <li>• Articulate garage doors with windows, paneling, or other high-quality detailing; and/or</li> <li>• Other creative design alternatives that serve the functional equivalent of minimizing the appearance garage doors.</li> </ul> <p>Master house plans shall provide enhanced architectural articulation and materials on side and rear elevations where such elevations face the public right-of-way.</p>	Building Permit	Planning	
54.	<p>Prior to issuance of building permits, the Project Applicant shall pay the applicable I-5 Subregional Fee in effect at the time of payment, consistent with EGMC Sections 16.97.040 and 16.97.050. Receipt of payment shall be provided to the City of Elk Grove Planning Division.</p>	Building Permit	Planning	

55.	<p>The Applicant shall comply with the City's Climate Action Plan (CAP) as follows:</p> <ul style="list-style-type: none"> <li>• Comply with CALGreen Residential Tier 1 energy efficiency standards (BE-4);</li> <li>• At least ten percent of the Project shall include exclusively electrical appliances and HVAC system (BE-6);</li> <li>• Achieve a 15% reduction in VMT below the City's 2015 baseline (TACM-6);</li> <li>• 25% of the off-road construction feet used during construction shall include Environmental Protection Agency certified off-road Tier 4 diesel engines (TACM-8); and</li> <li>• Parking spaces serving each unit shall be EV-Ready (TACM-9).</li> </ul>	Building Permit	Planning	
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**CERTIFICATION**  
**ELK GROVE CITY COUNCIL RESOLUTION NO. 2021-190**

STATE OF CALIFORNIA       )  
COUNTY OF SACRAMENTO    )       ss  
CITY OF ELK GROVE         )

*I, Jason Lindgren, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on June 23, 2021 by the following vote:*

**AYES:**       **COUNCILMEMBERS:** *Singh-Allen, Nguyen, Hume, Spease, Suen*

**NOES:**       **COUNCILMEMBERS:** *None*

**ABSTAIN:**   **COUNCILMEMBERS:** *None*

**ABSENT:**   **COUNCILMEMBERS:** *None*

  
\_\_\_\_\_  
**Jason Lindgren, City Clerk**  
**City of Elk Grove, California**